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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/227,688	01/08/1999	PETER R. FENNER	3796.2-US	7884

7590

01/08/2004

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EXAMINER
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NGUYEN, HANH N

ART UNIT	PAPER NUMBER
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2662

DATE MAILED: 01/08/2004

33

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/227,688

Applicant(s)

FENNER, PETER R.

Examiner

Hanh Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 20-28 and 32-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-28 and 32-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 20-22, 24, 25, 27, 32, 33, 35, 36 and 38- 40 are rejected under 35 USC 102(e) as being unpatentable over **Zabarsky et al.** (US Pat. No. 4,644,351).

In claims 20, 24, 27, 32, 35, 38 and 39, **Zabarsky et al.** discloses, in Fig.6, paging sites 100 and 600 ( two networks) are interconnected by data packet switches 214. The packet switch selects a network control processor 204 to route roaming message from paging site 100 to paging site 600 (handling nodes for routing data packets) (two or more networks interconnected by at least one handling node for routing data packets). See col.9, lines 17-22. The paging sites comprise paging units 106 ( a mobile unit). See FIG.1. The paging unit 106 is given a unique address identification comprising area code corresponds to its home site and digits identifying the pager (fixed logical destination code identifying the mobile unit). See col.12, lines 50-5. The network control processor 204 maintains a continuously updated routing list of locations where each pager in the paging site may be found. In addition, routing information can also be found in

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a local roamer list in the paging executive 212 (handling nodes stores a table for looking routing information). See col.15, lines 50-55.

In claims 21, 22, 25, 33, 36 and 40, the limitations of these claims have been addressed in claim 19.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 23, 26, 28, 34 and 37 are rejected under 35 USC 103(a) as being unpatentable over **Zabarsky et al.** (US Pat. No. 4,644,351).

In claim 23, 26, 28, 34 and 37, **Zabarsky et al.** does not disclose logical destination code is an IP address. IT is a well-known skill in the art to assign each user an IP address to transmit from one network to another. Therefore, it would have been obvious to apply the unique address of pagers in packet switches networks as IP addresses.

***Response to Arguments***

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3. Applicant's arguments with respect to claims 20-28 and 32-40 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Comroe et al. (US Pat. No. 4,833,701) discloses a Trunk Communication System With Nation Wide Roaming Capability.

Yotsutani et al. (US Pat. No. 4,843,622) discloses Communication Control System Capable of Searching a Called telephone set in a Mobile Radio telephone network.

Goodman (US Pat. No. 4,916,691) discloses Telecommunication Switching System.

Chaney (US Pat. No. 3,355,556) discloses Automatic Mobile Radio Telephone.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is (703) 306-5445. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:30 PM.

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (703) 305-4744. The fax phone number for this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding

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should be directed to the Group receptionist whose telephone number is (703) 305-4700.

December 29, 2003

A handwritten signature in black ink, appearing to read 'Hanh Nguyen'. The signature is stylized, with the first letter 'H' being large and the 'N' and 'g' being connected. The 'y' and 'e' are also connected, and the 'n' is at the end.

Hanh Nguyen